

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

TETHER AND BITFINEX CRYPTO ASSET
LITIGATION

Case No. 19 Civ. 9236 (KPF)

**NOTICE OF WITHDRAWAL OF
AARON LEIBOWITZ AS NAMED
PLAINTIFF AND PROPOSED CLASS
REPRESENTATIVE**

Plaintiffs Matthew Script, Aaron Leibowitz, Benjamin Leibowitz, Jason Leibowitz, and Pinchas Goldshtein, by and through their undersigned counsel, hereby file this Notice of Withdrawal of Aaron Leibowitz as a Named Plaintiff and Proposed Class Representative in the above-captioned case and state:

1. Aaron Leibowitz no longer seeks to serve as a named plaintiff or proposed class representative.
2. Aaron Leibowitz wishes to participate as an absent class member.
3. Pursuant to the Court's February 17, 2023 Amended Civil Case Management Plan and Scheduling Order, the Motion for Class Certification is currently due to be filed on August 22, 2023. ECF No. 298 ¶ 5(i).
4. This withdrawal is without prejudice to Aaron Leibowitz's rights, including as an absent class member and any right to file a claim against any fund arising out of any recovery.
5. Aaron Leibowitz's withdrawal does not affect the claims of the proposed class or the remaining named plaintiffs in the above litigation. The proposed class will suffer no prejudice from Aaron Leibowitz's withdrawal as a named plaintiff and proposed class representative because the remaining four named plaintiffs will adequately represent the interests of the class, and because Aaron Leibowitz's withdrawal in no way affects their rights or the rights of the proposed class.

Dated: March 15, 2023

Respectfully submitted,

/s/ Todd M. Schneider

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